

Staff Summary Report



Hearing Officer Hearing Date: June 27, 2007

Agenda Item Number: 10

SUBJECT: This is a public hearing for a request by the **CHRIST LIFE CHURCH (PL070237)** located at 1137 East Warner Road for one (1) use permit.

DOCUMENT NAME: 20070627dssa03

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **CHRIST LIFE CHURCH (PL070237)** (Brian Bazay/Modspace, applicant; Christ Life Church, property owner) located at 1137 East Warner Road in the AG, Agricultural District for:

ZUP07073 Use permit to allow for two (2) accessory (modular) buildings.

PREPARED BY: Steve Abrahamson, Planning and Zoning Coordinator (480-350-8359)

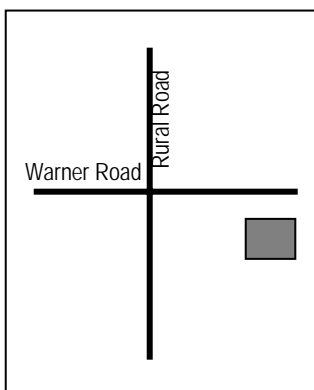
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions (1 – 2).

ADDITIONAL INFO: The Christ Life Church is requesting a use permit for two (2) accessory modular buildings to be located south of the main building outside of all setbacks. The proposed accessory buildings are temporary as they will provide office and worship space while a new building is constructed during an approximate 18 month period. Staff recommends approval of the use permit in that this will be a short-term use. To date, no public input has been submitted for this request.



ATTACHMENTS:

1. List of Attachments
 2. Comments; Reason(s) for Approval
 3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference
-
- A. Location Map(s)
 - B. Aerial Photo(s)
 - C. Letter(s) of Intent
 - D. Site Plan
 - E. Floor Plan(s)
 - F. Staff Photograph(s)

COMMENTS:

The Christ Life Church is requesting a use permit for two (2) accessory modular buildings to be located south of the main building outside of all setbacks. The property is located mid-block on the south side of Warner Road (an arterial street) and is adjacent to single-family residential zoning (R1-15 and AG) on all sides. The proposed accessory buildings are temporary as they will provide office and worship space while a new building is constructed during an approximate 18 month period. The modular structures are 2,772 s.f. and 4,704 s.f. in building area; approximately eleven feet, six inches (11'-6") in height and are planned to be located outside the required setbacks for the AG, Agricultural District.

The church has requested and received use permits and use permit extensions in the past for temporary accessory buildings. The last request was in 2001 for a one (1) year extension. This was granted, however, the buildings continue to be utilized. As a condition of this request and the subsequent proposed construction, these buildings are to be removed.

Use Permit

The Zoning and Development Code requires a use permit for accessory buildings that exceed two hundred square feet (200 s.f.) in area and/or eight (8) feet in height. The structure must be placed at the required building setback for the district. The two (2) proposed structures are 2,772 s.f. and 4,704 s.f. in building area; eleven feet, six inches (11'-6") in height and are planned to be located outside the required setbacks for the AG, Agricultural District. This use permit request meets all applicable tests in the following manner:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - No potential nuisances.
- c. Compatibility with existing surrounding structures and uses;
 - The proposed building is compatible with surrounding structures the uses.

Conclusion

Staff recommends approval of the use permit, subject to conditions of approval.

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust vibration or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use (temporary) appears to be compatible with the building, site and adjacent property.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

**CONDITION(S)
OF APPROVAL:**

1. Obtain all necessary clearances from the building safety division.
2. This use permit is limited to 24 months (**June 27, 2009**). Continuation of this use beyond 24 months will require a new use permit.

HISTORY & FACTS:

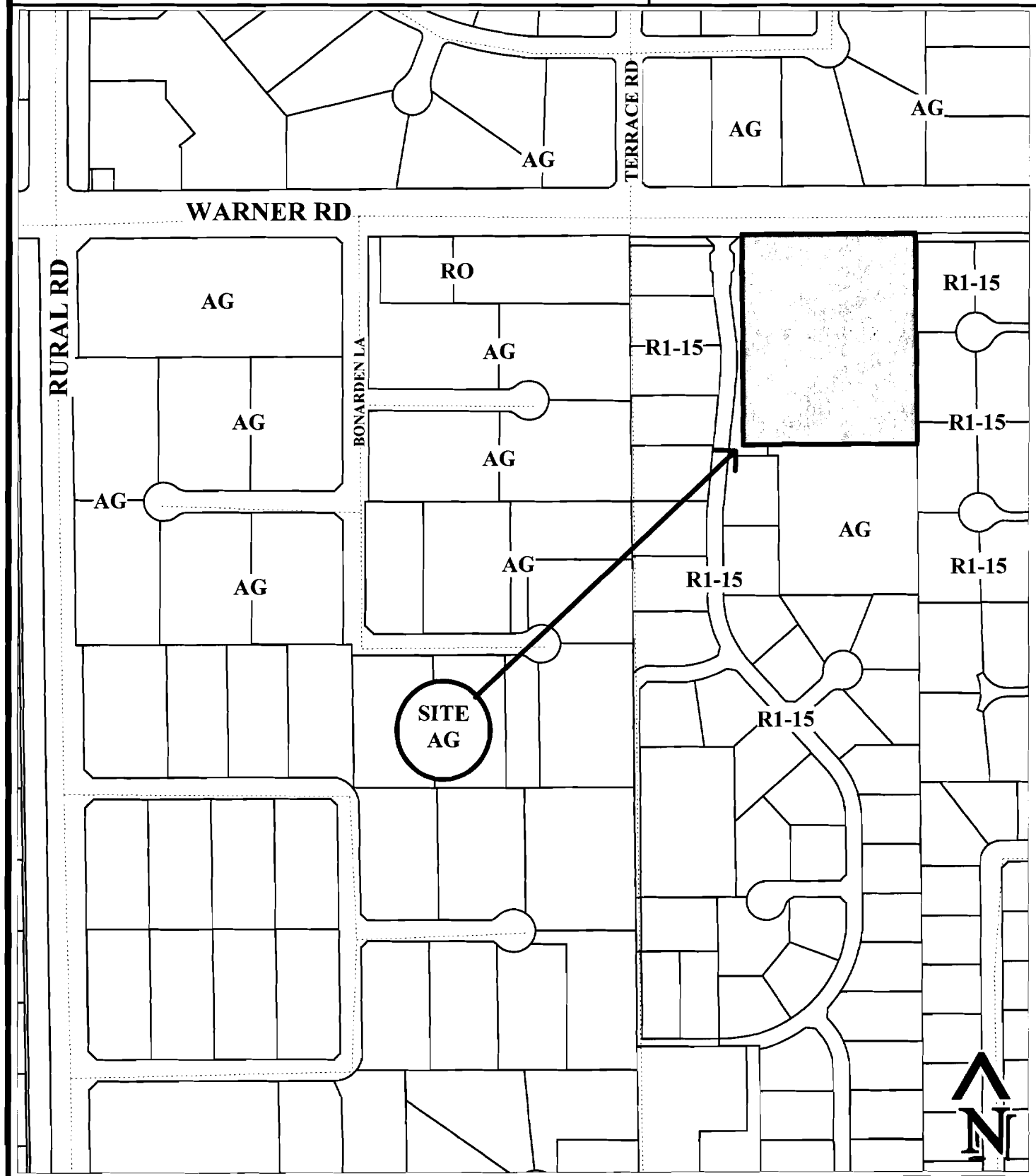
February 20, 1997	Use Permit granted by the Hearing Officer to allow two (2) temporary modular buildings to be utilized as classrooms.
March 25, 1999	Use Permit extension granted by the Hearing Officer to allow two (2) temporary modular buildings to be utilized as classrooms.
October 12, 2000	Use Permit extension to allow existing temporary modular buildings to remain for one (1) additional year.

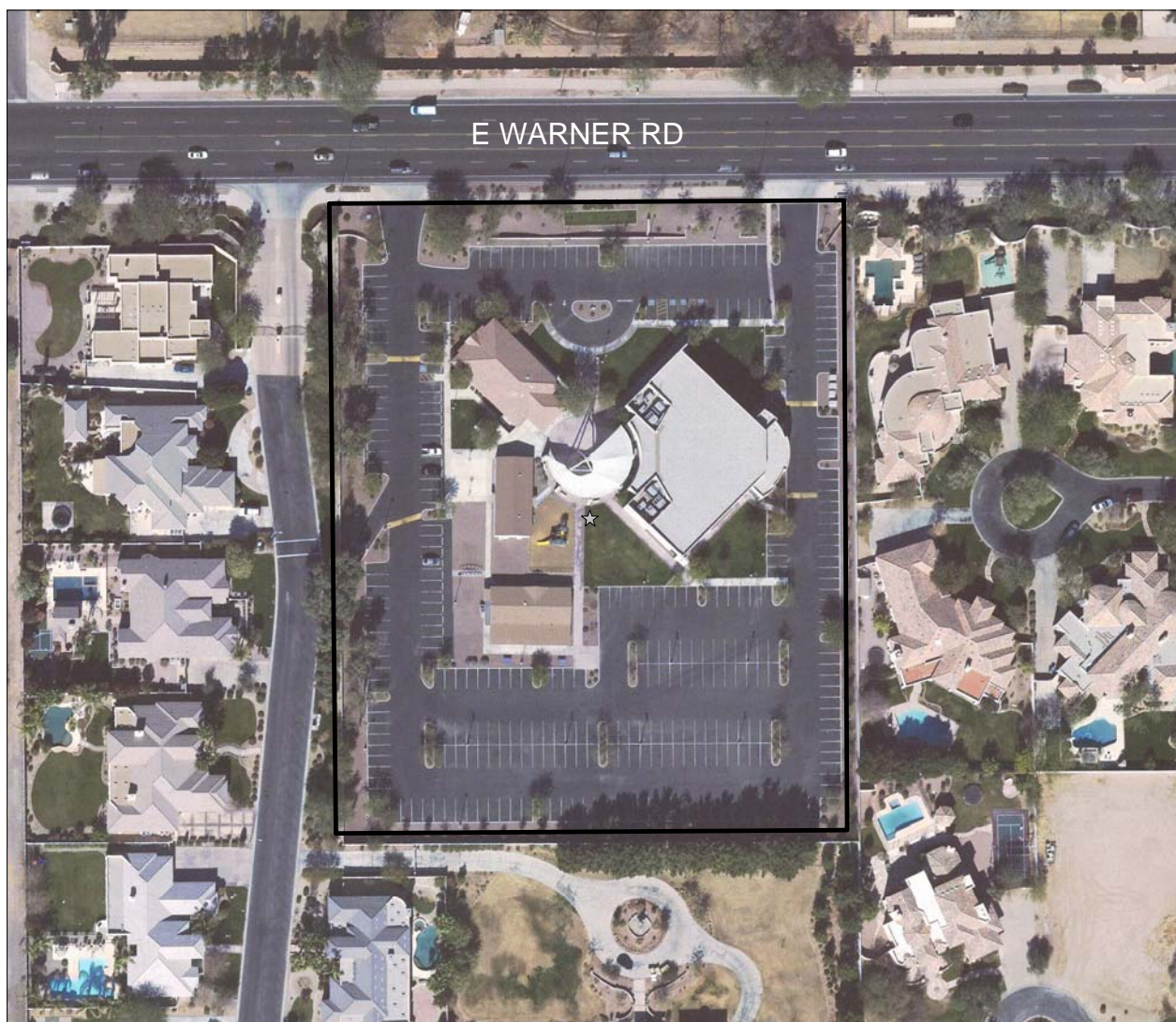
DESCRIPTION:

Applicant – Brian Bazay/Modspace
Owner – Christ Life Church
Existing zoning – AG, Agricultural District
Lot Size – 195,584 s.f. / 4.49 Acres
Existing Building(s) Area – 13,881 s.f.
Proposed Accessory Building Areas – 2,772 s.f. and 4,704 s.f.
Maximum Lot Coverage – 25%
Proposed Lot Coverage – 11%
Accessory Building Height – Approximately 11'-6"

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Section 3-401- Accessory Buildings, Uses and Structures
Section 6-308 – Use Permits

CHRIST LIFE CHURCH
PL070237




CHRIST LIFE CHURCH (PL070237)



City Of Tempe
Development Services Department
31 East Fifth Street
Tempe, Arizona 85281

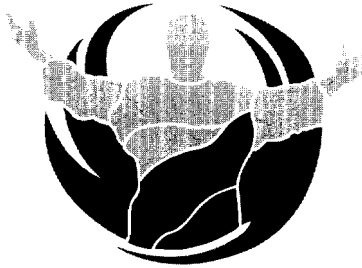
Dear Sirs:

Modspace Incorporated is seeking your approval to install temporary modular office buildings (2) for Christ Life Church. The Church will be building a new building on their property and will need to office their employees while the construction process takes place. The buildings will be on site approximately 18 months. The existing offices will be taken down to prepare for the new construction where the offices now stand.

The buildings will not cause any significant vehicular or pedestrian traffic in adjacent areas and not cause any nuisance (odor, dust, gas, noise, vibration, smoke, heat or glare, etc.) exceeding that of ambient conditions and not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City and be compatible with the existing surrounding structures and not result in any disruptive behavior which may create a nuisance to the surrounding area or general public.

Respectfully,

Brian Bazay
Sr. Territory Sales Manager



**CHRIST LIFE
C H U R C H**

May 24, 2007

Mr. Brian Bazay
c/o ModSpace/Resun Modulars
22810 Quicksilver Drive
Dulles, VA 20166

City of Tempe
Development Services Dept.
c/o Planning Dept.
31 East Fifth Street
Tempe, AZ 85280-5002

Ref: Use Permit Submitted for Modular/Temporary Buildings
c/o Christ Life Church, 1137 E. Warner Rd., Tempe, AZ

Gentlemen:

In accordance with the requirements as set forth by the City of Tempe for a Temporary Use Permit applicable to two (2) modular buildings to be utilized by Christ Life Church on a temporary basis, the following narrative shall apply as a "letter of explanation".

The modular buildings as referenced herein are comprised of one (1) unit approximating 84' in width with 56' in length (7-plex) and one (1) unit approximating 42' in width and 66' in length (3-plex). The two (2) units will be located to the South of the existing worship facility. The units are located within the applicable front/back/side set-back requirements as noted in the City of Tempe building codes. The utility connections (i.e., electrical and water) are being accomplished in accordance with City code and performed under contract with Site Utilities Systems, LLC as per contract #1166 and SRP Job Order #BA839-681-001. The building(s) will be laterally secured into substrate with an asphaltic overlayment in accordance with State of Arizona regulations and be additionally chassis mainrail supported via rated steel piers resting on treated pier pads on the surface of the asphaltic overlayment.

**Phillip D. Goldsberry, Sr., Senior Pastor
Christ Life Church**

1137 E. Warner Road • Tempe, AZ 85284 • (480) 777-9803 • Fax (480) 820-8740
E-mail: clc@christlifechurch.org • www.christlifechurch.org

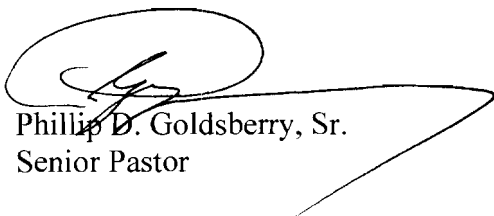
Page Two (2)
May 24, 2007

The utilization of these buildings is to replace and supplant the current utilization of two (2) modular buildings existing on the site that because of staging of a proposed new facility (and its location) are to be removed. The existing building(s) serve the same utilization needs as the new modules. More specifically, the 7-plex will be utilized as a children's ministry activity center approximately three (3) days per week @ 4 hours per day. The 3-plex will be utilized as a church office with occupancy approximately six (6) days per week @ 10 hours per day. The ingress/egress for the modular units are in accordance with federal (ADA), state, county, and city municipal requirements for both accessibility and life safety concerns.

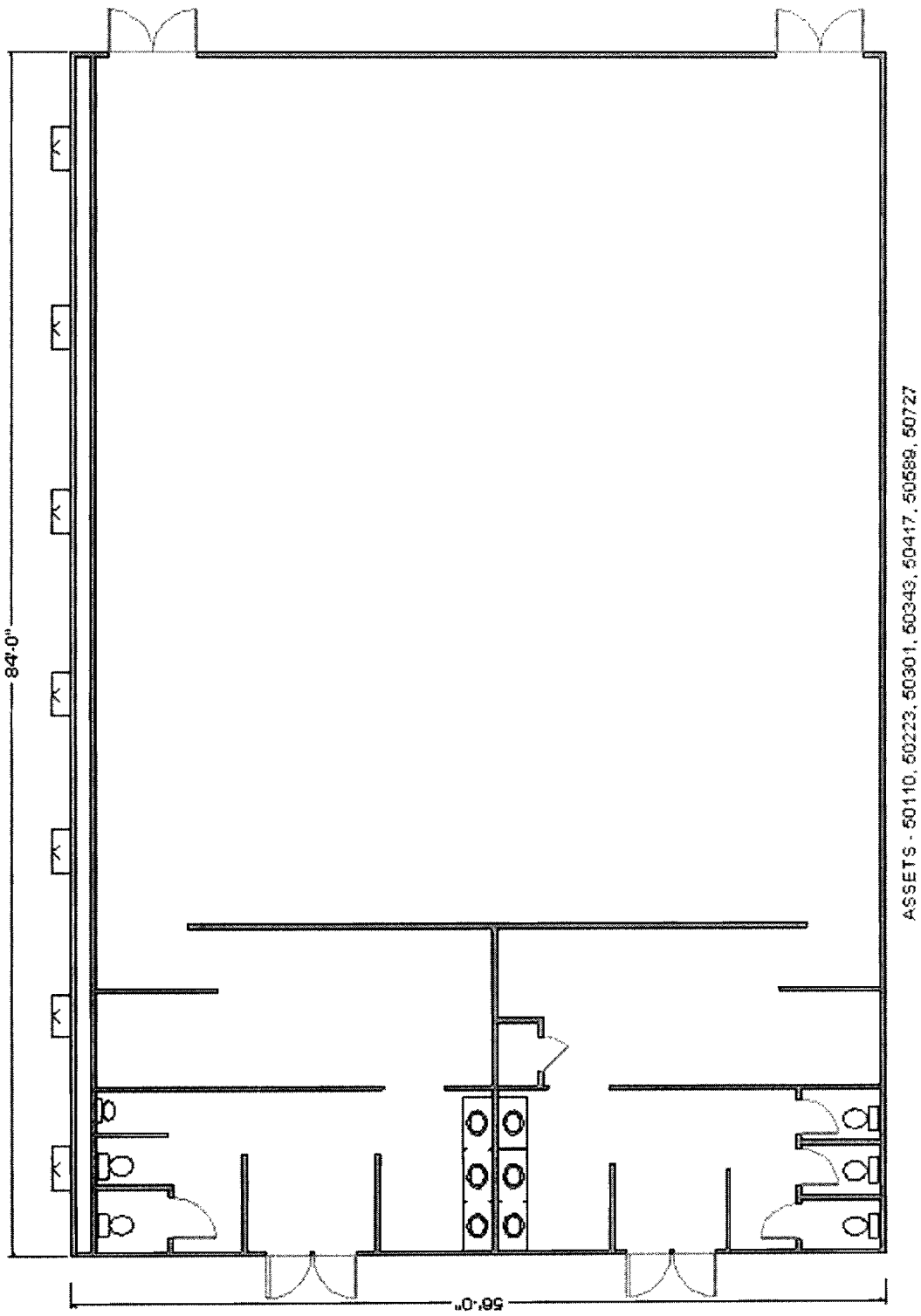
We at Christ Life Church have been a collegial, purpose-driven church for eleven years at our current location. During this time we have striven to provide our congregation and our neighbors with activities and worship that minimally impact any vehicular traffic, causing no nuisances or disruptions for the surrounding area while matching the architectural continuity of our surrounds.

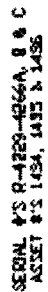
If you have any further questions, please contact the undersigned for any clarification or activity description.

Very truly yours,



Phillip D. Goldsberry, Sr.
Senior Pastor







CHRIST LIFE CHURCH

1137 E. WARNER RD.

PL070237

**MODULAR BUILDINGS AT REAR OF SITE:
VIEW TO THE NORTHWEST**



CHRIST LIFE CHURCH

1137 E. WARNER RD.

PL070237

**MODULAR BUILDINGS AT REAR OF SITE:
VIEW TO THE NORTH**



CHRIST LIFE CHURCH

1137 E. WARNER RD.

PL070237

**MODULAR BUILDINGS AT REAR OF SITE:
VIEW TO THE NORTHEAST**



CHRIST LIFE CHURCH

1137 E. WARNER RD.

PL070237

**MODULAR BUILDINGS AT REAR OF SITE:
VIEW TO THE WEST**